



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

October 21, 2014

Orleans Mutual Water Company
P.O. Box 54
Orleans, CA 95556

Certified Mail
7011 2000 0001 1428 7440

Attn: Roberto Beltran, President

Subject: Citation No. 01_01_14C_004, Failure To Comply With Combined Filter Effluent Turbidity Performance Standards, Orleans Mutual Water Company, PWS #1200566, Orleans, Humboldt County

Enclosed is a citation issued to the Orleans Mutual Water Co. public water system for failure to comply with combined filter effluent turbidity performance standards in February 2014 and March 2014. The citation specifies action to be taken by Orleans Mutual Water Company to achieve compliance and avoid future civil penalties.

Section 116577 of the California Safe Drinking Water Act provides for our department to be reimbursed by the public water system for costs incurred for preparing and issuing an enforcement action to that system. Therefore, your water system will be billed for the preparation and issuance of this order. Our costs are approximately \$128 per hour. At this time we have spent approximately 1 hour on enforcement activities associated with this violation. You will receive a bill for these costs in August, following the end of the State's fiscal year, from our Fee Billing Unit in Sacramento.

If you have any questions regarding this matter, please contact Craig Bunas of my staff at (530) 224-4887 or me at (530) 224-4800.

Sincerely,

Tony Wiedemann, P.E.
Klamath District Engineer
Division of Drinking Water

Enclosures

cc Richard Hinrichs, Chief, DDW, Northern California Section, Redding
Jim Slusser, Orleans MWC, Orleans

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

1 **STATE OF CALIFORNIA**
2 **STATE WATER RESOURCES CONTROL BOARD**
3 **DIVISION OF DRINKING WATER**
4

5 Date: October 21, 2014
6

7 To: Orleans Mutual Water Company
8 P.O. Box 54
9 Orleans, CA 95556
10

11 Attn: Roberto Beltran, President
12

13 CITATION No. 01_01_14C_004
14 FOR
15 FAILURE TO COMPLY WITH TURBIDITY PERFORMANCE STANDARDS
16 SURFACE WATER TREATMENT REGULATIONS
17 Section 64653
18 Title 22, California Code of Regulations
19 Public Water System: Orleans Mutual Water Company
20 Public Water System No.: 1200566
21

22 Section 116650 of the California Health and Safety Code authorizes the issuance of a
23 citation to a public water system for violation of the California Safe Drinking Water Act
24 (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section
25 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order
26 issued or adopted thereunder.
27

The State Water Resources Control Board (hereinafter "State Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Orleans Mutual Water Company (hereinafter, Orleans MWC) for failure to comply with the combined filter effluent turbidity performance standards in the Surface Water Treatment Regulations, Section 64653, California Code of Regulations (CCR).

APPLICABLE AUTHORITIES

Section 64653 (Filtration), CCR states in relevant part:

(c) A supplier shall comply with the combined filter effluent turbidity performance standards in table 64653 for each treatment plant while the plant is in operation:

Table 64653

Combined Filter Effluent Turbidity Performance Standards^(a)

<i>If a supplier uses...</i>	<i>The turbidity level of the combined filter effluent...</i>
(1) Conventional or direct filtration treatment and serves 10,000 or more persons	(A) Shall be less than or equal to 0.3 NTU in at least 95 percent of the measurements taken each month; (B) Shall not exceed 1 NTU for more than one continuous hour; (C) Shall not exceed 1 NTU at four-hour intervals; and (D) Shall not exceed 1.0 NTU for more than eight consecutive hours.
(2) Conventional or direct filtration treatment and serves fewer than 10,000 persons	(A) Shall be less than or equal to 0.3 NTU in at least 95 percent of the measurements taken each month; (B) For a supplier using a grab sample monitoring program: 1. Shall not exceed 1 NTU; and 2. Shall not exceed 1.0 NTU in more than two consecutive samples; and (C) For a supplier using a continuous monitoring program: 1. If recording results at least once every 15 minutes, shall comply with paragraph (1)(B); and 2. Shall comply with paragraphs (1)(C) and (1)(D).
(3) Diatomaceous earth filtration	(A) Shall be less than or equal to 0.5 NTU in at least 95 percent of the measurements taken each month; (B) Shall not exceed 5.0 NTU;

(C) For a supplier using a grab sample monitoring program, shall comply with paragraph (2)(B)2; and
(D) For a supplier using a continuous monitoring program, shall comply with paragraph (1)(D).

(4) Slow sand filtration

(A) Shall be less than or equal to 1.0 NTU in at least 95 percent of the measurements taken each month. Filtered water from the treatment plant may exceed 1.0 NTU, provided the filter effluent prior to disinfection meets the maximum contaminant level for total coliforms as specified in 22 CCR section 64426.1; and
(B) Shall not exceed 5.0 NTU.

(a) If there is only one filter at the treatment plant, the combined filter effluent turbidity performance standards shall apply to the effluent produced by the filter.

A copy of additional *Applicable Authorities* is located in Appendix 1, which is attached hereto and incorporated by reference.

STATEMENT OF FACTS

Orleans MWC is classified as a Community water system with a population of 85, serving 32 connections and operating a surface water treatment system using pressure filtration. Data contained in monthly turbidity monitoring reports submitted by Orleans MWC shows turbidity values exceeded the combined filter effluent turbidity performance standards during February 2014 and March 2014.

DETERMINATION

The Division has determined that the Orleans MWC is in violation of Title 22, CCR, Section 64653, *Filtration*, in the *Surface Water Treatment Regulations*, for failure to meet the combined filter effluent turbidity performance standards during February 2014 and March 2014.

DIRECTIVES

Orleans MWC is hereby directed to take the following actions:

1. Comply with Title 22, CCR, Section 64653, in all future monitoring periods.

2. On or before **November 21, 2014**, notify all persons served by the Orleans MWC of failure to meet combined filter effluent turbidity performance standards in violation of Section 64653. Appendix 2: *Public Notification Template* may be used to fulfill this directive. The procedures for the distribution, format and content of the *Public Notification* shall be in accordance with Tier 2 Public Notification requirements contained in Section 64463 through Section 64465, CCR, which relevant parts are included in Appendix 1: *Applicable Authorities*.

3. Orleans MWC shall complete Appendix 3: *Certification of Public Notification*. Orleans MWC shall submit the *Certification of Public Notification* with a copy of the *Public Notification* to the Division on or before **December 1, 2014**.

All submittals required by this citation shall be submitted to the Division of Drinking Water at the following address:

Tony Wiedemann, P.E.
Klamath District Engineer
State Water Resources Control Board
Division of Division of Drinking Water
364 Knollcrest Drive, Suite 101
Redding, CA 96002

The Division reserves the right to make such modifications to this citation as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this citation and shall be effective upon issuance.

1
2 Nothing in this Citation relieves the Orleans MWC of its obligation to meet the
3 requirements of the California Safe Drinking Water Act (CHSC, Division 104, Part 12,
4 Chapter 4, commencing with Section 116270), or any regulation, standard, permit or
5 order issued thereunder.
6

7
8 **PARTIES BOUND**

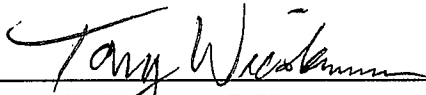
9 This citation shall apply to and be binding upon Orleans MWC, its owners, shareholders,
10 officers, directors, agents, employees, contractors, successors, and assignees.
11

12 **SEVERABILITY**

13 The Directives of this citation are severable, and Orleans MWC shall comply with each
14 and every provision thereof notwithstanding the effectiveness of any provision.
15

16 **FURTHER ENFORCEMENT ACTION**

17 The California SDWA authorizes the Division to issue a citation or compliance order with
18 assessment of administrative penalties to a public water system for violation or continued
19 violation of the requirements of the California SDWA or any permit, regulation, permit or
20 order issued or adopted thereunder including, but not limited to, failure to correct a
21 violation identified in a citation or compliance order. The California SDWA also
22 authorizes the Division to take action to suspend or revoke a permit that has been issued
23 to a public water system if the system has violated applicable law or regulations or has
24 failed to comply with an order of the Division; and to petition the superior court to take
25 various enforcement measures against a public water system that has failed to comply
26 with an order of the Division. The Division does not waive any further enforcement action
27 by issuance of this citation or compliance order.



October 21, 2014

Tony Wiedemann, P.E.
Klamath District Engineer
State Water Resources Control Board
Drinking Water Field Operations Branch

Date

Appendices (3):

1. Applicable Authorities
2. Public Notification Template
3. Certification of Public Notification

Certified Mail No. 7011 2000 0001 1428 7440

APPENDIX 1:
APPLICABLE AUTHORITIES
For

Failure To Comply With Combined Filter Effluent Turbidity Performance Standards, SWTR

Section 116271 of the CHSC states in relevant part:

- (a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:
 - (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
 - (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
 - (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
 - (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
 - (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
 - (6) Chapter 7 (commencing with Section 116975).
 - (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
 - (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
 - (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
 - (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
 - (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
 - (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).
- (b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500.
- (k)
 - (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
 - (2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken, but are not subject to reconsideration, by the State Water Resources Control Board. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the State Water Resources Control Board, but any aggrieved person may petition the State Water Resources Control Board for reconsideration of the decision or action. This subdivision is not a limitation on the State Water Resources Control Board's authority to delegate any other powers and duties.

1. If recording results at least once every 15 minutes, shall comply with paragraph (1)(B); and
 2. Shall comply with paragraphs (1)(C) and (1)(D).
- (3) Diatomaceous earth filtration
- (A) Shall be less than or equal to 0.5 NTU in at least 95 percent of the measurements taken each month;
 - (B) Shall not exceed 5.0 NTU;
 - (C) For a supplier using a grab sample monitoring program, shall comply with paragraph (2)(B)2; and
 - (D) For a supplier using a continuous monitoring program, shall comply with paragraph (1)(D).
- (4) Slow sand filtration
- (A) Shall be less than or equal to 1.0 NTU in at least 95 percent of the measurements taken each month. Filtered water from the treatment plant may exceed 1.0 NTU, provided the filter effluent prior to disinfection meets the maximum contaminant level for total coliforms as specified in 22 CCR section 64426.1; and
 - (B) Shall not exceed 5.0 NTU.
- (a) If there is only one filter at the treatment plant, the combined filter effluent turbidity performance standards shall apply to the effluent produced by the filter.

Section 64463.4 of CCR (Tier 2 Public Notice) states in relevant part:

- (a) A water system shall give public notice pursuant to this section if any of the following occurs:
- (1) Any violation of the MCL, MRDL, and treatment technique requirements, except:
 - (A) Where a Tier 1 public notice is required under section 64463.1; or
 - (B) Where the Department determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;
 - (2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the Department determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;
 - (3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the Department determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or
 - (4) Failure to comply with the terms and conditions of any variance or exemption in place.
- (b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the Department's written approval based on the violation or occurrence having been resolved and the Department's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:
- (1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;
 - (2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the Department's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and
 - (3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the Department as soon as possible within 24 hours after the water system learns of the violation to determine whether a Tier 1 public notice is required. If consultation does not take place within 24 hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.

- (1) An explanation of the reasons for the variance or exemption;
- (2) The date on which the variance or exemption was issued;
- (3) A brief status report on the steps the water system is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption; and
- (4) A notice of any opportunity for public input in the review of the variance or exemption.

(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

- (1) For a Tier 1 public notice:
 - (A) The notice shall be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the public water system, and the notice shall include a telephone number or address where such individuals may contact the public water system for assistance; and
 - (B) If any non-English-speaking group exceeds 1,000 persons served by the public water system, but does not exceed 10 percent served, the notice shall include information in the appropriate language(s) regarding the importance of the notice, and the telephone number or address where such individuals may contact the public water system to obtain a translated copy of the notice from the public water system or assistance in the appropriate language;
- (2) For a Tier 2 or Tier 3 public notice:
 - (A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and
 - (B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:
 1. Information in the appropriate language(s) regarding the importance of the notice; or
 2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and
- (3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.

(d) Each public notice given pursuant to this article shall:

- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
- (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
- (3) Not contain language that minimizes or contradicts the information being given in the public notice.

Section 64469 of CCR (Reporting Requirements) states in relevant part:

- (d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under 64463.7(d), each water system shall submit a certification to the Department that it has done so, along with a representative copy of each type of public notice given.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

Orleans Mutual Water Company Did Not Meet the Treatment Requirements (Turbidity)

Our water system recently violated a drinking water standard. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did to correct this situation.

We routinely monitor your water for turbidity (cloudiness). This tells us whether we are effectively filtering the water supply. Water samples for February 2014 and March 2014 showed that approximately 28 percent and 35 percent of turbidity measurements were over 0.3 NTU turbidity units, respectively. The standard is that no more than 5 percent of samples may exceed 0.3 NTU turbidity units per month.

What should you do?

You do not need to boil your water or take other corrective actions. We do not know of any contamination, and none of our testing has shown disease-causing organisms in the drinking water.

Turbidity has no health effects. However, high levels of turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. These symptoms are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice.

People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1 (800) 426-4791.

If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What Happened? What Was Done?

A problem occurred with the treatment system at the water plant. An event occurred that made producing water of less than 0.3 NTU impossible.

For more information, please contact _____ of the Orleans Mutual Water Co. at _____.

Please share this information with other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Upon receipt of this notice from a public water system the following establishments must provide secondary notification by distributing this notice within ten days as follows: Schools must notify school employees, students, and parents (if the students are minors). Residential rental property owners or managers (including nursing home and care facilities) must notify tenants. Business property owners, managers, or operators must notify employees of businesses located on the property. [Health and Safety Code Section 116450(g)]

State Water System ID#: 1200566

Date distributed: _____

Certification of Public Notification

This form when completed and returned to the State Water Resources Control Board, Division of Drinking Water (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463 - 64465.

Public Water System Name _____ Orleans Mutual Water Company _____

Public Water System No. _____ 1200566 _____

Public notification for the February 2014 and March 2014 failure to comply with combined filter effluent turbidity performance standards was performed by the following method(s) (check and complete those that apply):

_____ The notice was mailed to users on _____
A copy of the notice is attached.

_____ The notice hand delivered to water customers on _____
A copy of the notice is attached.

_____ The notice was published in the local newspaper on _____
A copy of the newspaper notice is attached.

_____ The notice was posted in the following conspicuous places:
A copy of the notice is attached.

Provide the date (or dates) that the notice was posted _____

_____ The notice was delivered to the following community organizations:
A copy of the notice is attached.

Provide the date (or dates) that the notice was delivered _____

I hereby certify that the above information is factual.

Printed Name

Signature

Date